

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

IN RE:

Freddie Hooten) Bk. Case No. 03-13666BLS
)
)
Debtor.) Chapter 13

**TRUSTEE'S APPLICATION TO PAY UNCLAIMED FUNDS INTO THE COURT
AND DISALLOW BALANCE OF CLAIM AS ABANDONED(Claim # 5)**

Michael B. Joseph, Esquire Chapter 13 Trustee ("Trustee") of the within estate, respectfully applies to this Honorable Court for an Order under 11 U.S.C. Section 347 as follows:

1. On February 24, 2004, Department of Veteran Affairs, ("Claimant") filed a claim in this case in the amount of \$945.58 being Claim No. 5 on the Court's Claim Register. The address listed is: 3900 Woodland Avenue(642/02), Philadelphia, PA 19104.Previously the Trustee has attempted to issue a dividend for this claim such disbursement checks have not been negotiated by the creditor. Accordingly, the Trustee has voided the checks.

3. The dividends to date total \$103.96, and represent unclaimed funds for which the Trustee requests permission to pay into the Court.

4. Moreover, it appears that the creditor has abandoned this claim and the balance should be disallowed.

WHEREFORE, it is respectfully requested that this Court grant permission to the Court to pay said unclaimed funds in the total amount of \$103.96 into the Court for the benefit of the referenced claimant and the balance of the claim be deemed abandoned and disallowed.

Date: February 2, 2010

S/Michael B. Joseph
Michael B. Joseph, Trustee
824 Market Street, Suite 1002
P.O. Box 1350
Wilmington, Delaware 19899-1350
302-656-0123
Chapter 13 Trustee

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

IN RE:

Freddie Hooten

)Bk. Case No. 03-13666BLS
)
)Chapter 13

**ORDER TO PAY UNCLAIMED FUNDS INTO COURT
AND DISALLOW BALANCE OF CLAIM AS ABANDONED(#5)**

IT IS ORDERED that the Trustee shall pay unclaimed funds, as stated in the foregoing Motion, in the amount of \$103.96 to the Clerk, United States Bankruptcy Court for the District of Delaware, and

IT IS FURTHER ORDERED, that the balance of claim #5 is deemed abandoned and disallowed.

United States Bankruptcy Judge

Dated this day of 2010.

ATTORNEY'S CERTIFICATE OF SERVICE

I, Michael B. Joseph, Esquire, Chapter 13 Trustee, do hereby certify that on February 2, 2010 I caused a copy of the within motion to be served on the following:

UNITED STATES MAIL, POSTAGE PAID

Vivian A. Houghton, Esquire
2nd Floor
800 N. West Street
Wilmington, DE 19801
Attorney for Debtor

Freddie Hooten
205 Stroud Street
Wilmington, DE 19805
Debtor(s)

Department of Veteran Affairs
Attn: William Livingston
3900 Woodland Avenue (642/02)
Philadelphia, PA 19104
Creditor

S/Michael B. Joseph
Michael B. Joseph, Trustee

Hearing Date: March 22, 2010

Response Deadline: March 3, 2010

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF DELAWARE

IN RE:

Feddie Hooten

) Bk. Case No. 03-13666BLS

)

)

) Chapter 13

NOTICE OF HEARING

NOTICE IS GIVEN that a hearing on the Chapter 13 Trustee's Motion to Pay Unclaimed Funds to Court the within Debtor's case is scheduled for **Monday, March 22, 2010 @ 3:00 P.M.** in the United States Bankruptcy Court, District of Delaware, 824 Market Street, 3rd Floor, Conference Room, Wilmington, Delaware.

RESPONSES, if any, must be in writing and filed in the Clerk's Office, United States Bankruptcy Court, District of Delaware, 824 Market Street, 5th Floor, Wilmington, DE 19801, and served upon the Chapter 13 Trustee, 824 Market Street, Suite 1002, P.O. Box 1350, Wilmington, Delaware 19899-1350 on or before **March 3, 2010**.

IF A RESPONSE IS NOT TIMELY FILED AND SERVED, THE MOTION WILL BE APPROVED WITHOUT FURTHER HEARING.

S/Michael B. Joseph

Michael B. Joseph, Esquire
824 Market Street, Ste. 1002
P.O. Box 1350
Wilmington, Delaware 19899
Chapter 13 Trustee

Date: February 2, 2010